THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.10365 of 2006

Dated: 09.06.2006

Between
Palika Lakshman Rao,
S/o Tatabbai.

…..Petitioner

and

1. The Proh. Excise Superintendent
and Ex-officio, Registrar of Toddy
Tappers Co-operative Society, E.G.District,
Kakinada and another.

….Respondents

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.10365 of 2006

ORDER:

This writ petition is filed against an order made by the 1st respondent vide R.C.No.A2/6/2006, dated 26.4.2006 appointing the 2nd respondent under Section 32(7)(a) of the A.P. Co-operative Societies Act, to manage the affairs of the Society for a period of six months or till elections are held to the Managing Committee of the Society.

The impugned order itself shows that after bifurcation of the society, a committee was appointed and the tenure of the committee expired on 15.4.2005. However, due to some administrative reasons, the elections to the managing committee of the society could not be conducted. Further, it was found that the committee appointed after bifurcation was acting contrary to the interest of the society and in violation of the provisions of A.P. Co-operative societies Rules and bye- laws. Therefore, the impugned order was passed appointing Person-in-charge to manage the affairs of the committee and to take all steps as may be required in the interest of the society, subject to the control and directions as may be issued from time to time under the provisions of Section 32 (7) (b) of the AP Cooperative Societies Act. Aggrieved by the same, the present writ petiton is filed.

Learned counsel for the petitioner contends that the petitioner is not aggrieved by the impugned order dated 26.4.2002 and his grievance is that though it is the case of the 1st respondent that the elections could not be conducted within the expiry of the term of the committee due to some administration reasons, instead of conducting elections, now in the guise of some irregularities purported to have been committed by the committee,

the present impugned proceedings are issued appointing a person in charge. Thus, the main grievance of the petitioner is for not conducting elections to the Managing Committee of the society.

In the facts and circumstances of the case, I deem it appropriate to direct the respondents to conduct elections to the Managing Committee of the society within a period of three months from the date of receipt of a copy of this order, if not already conducted.

With the above direction, the writ petition is disposed of. No costs.

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09.06.2006

rkk